
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor	:	Wolfgang ORGELDINGER
Application No.	:	10/560,487
Filed	:	12-12-2005
Art Unit	:	3781
Confirmation Number	:	3136
Examiner	:	Stephen J. Castellano
Title	:	TRANSPORT CONTAINER SYSTEM FOR GOODS, ESPECIALLY FOR FRUIT AND VEGETABLES
Attorney Docket No.	:	SCHO0590

January 15, 2010

Mail Stop - 16
Commissioner for Patents and Trademark
P.O. Box 1450
Alexandria , VA 22313-1450

REQUEST FOR REFUND

Applicant, by his attorney, requests a refund for the above-referenced patent application.

The Restriction Requirement was mailed on March 9, 2009. Applicant filed a Response to Restriction Requirement filed on April 7, 2009. Therefore, the Response was timely filed. The application became abandoned on April 10, 2009. The Notice of Abandonment was mailed on November 6, 2009 for failure to timely response to the Restriction Requirement. Applicant filed a Petition for Revival filed on October 30, 2009. Applicant inadvertently paid \$1,620.00 for the Petition for Revival.

Support for this request can be found in the return postcard showing the USPTO stamp bearing the receipt dated of the Response of April 10, 2009

and the Response to Restriction Requirement filed on April 7, 2009, and a copy of these are attached.

Since this appears to be a USPTO error, Applicant respectfully requests a refund for the amount of \$1,620.00 for the Petition for Revival filed on October 30, 2009. The Commissioner is authorized to credit the overpayments to Deposit Account No. 07-1445 (Order No. SCHO0590).

Respectfully submitted,



Michael A. Glenn

Reg. No. 30, 176

Customer No. 22,862

Docket No. F-8862

Serial No. 10/560,487

CBH DO FJJ

The date stamp of the Patent Office hereon may be considered as the date on which papers indicated below were received.

Front →

New Application	<input type="checkbox"/>	Dec./Power of Att.	<input type="checkbox"/>
RCE	<input type="checkbox"/>	Assignment	<input type="checkbox"/>
Supplemental Amendment	<input type="checkbox"/>	Priority Document	<input type="checkbox"/>
Preliminary Amendment	<input type="checkbox"/>	IDS/IDC	<input type="checkbox"/>
English Translation App.	<input type="checkbox"/>	Notice of Appeal	<input type="checkbox"/>
Marked Specification	<input type="checkbox"/>	Appeal Brief	<input type="checkbox"/>
Substitute Specification	<input type="checkbox"/>	Issue Fee	<input type="checkbox"/>
Letter to Draftsman/Drawings	<input type="checkbox"/>	Statement of Use	<input type="checkbox"/>
Resp. to O.A.	<input checked="" type="checkbox"/>	Section 8 and	<input type="checkbox"/>

Date of Doc. being mailed: April 7, 2009
(Patent Office. Please stamp and return to addressee on reverse side.)



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Docket No. F-8862

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wolfgang ORGELDINGER
Serial No. : 10/560,487
Filed : February 22, 2006
For : TRANSPORT CONTAINER SYSTEM FOR GOODS,
ESPECIALLY FOR FRUIT AND VEGETABLES
Group Art Unit : 3781
Examiner : Stephen J. Castellano
Confirmation No. : 3136
Customer No. : 000028107

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on April 7, 2009.

John B. Starr

(Name)

(Signature)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO RESTRICTION REQUIREMENT

Sir:

Responsive to the Office Action mailed 09 March 2009, the present paper is timely filed on or before 09 April 2009.

REMARKS

By Office Action mailed 09 March 2009, the Examiner imposed a restriction requirement requiring election of one of two allegedly independent and district inventions:

I. Claims 12 - 17, drawn to a combination of a transport container system having a crate and a top.

II. Claims 18 - 23, drawn to a subcombination of a top.

Applicants' Election:

Applicant hereby elects the invention of Group I, claims 12 - 17.

Applicant respectfully submits that no fee is due with this paper. If in fact a fee is due, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By _____

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Reg. No. 22,389
Attorney for Applicants

and,

By _____

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